



PATENT

ATTORNEY DOCKET NO.: 053848-5018

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Yoshijiro USHIO et al.

Application No.: 10/774,623

Filed: February 10, 2004

For: METHOD AND DEVICE FOR
SIMULATION, METHOD AND
DEVICE FOR POLISHING, METHOD
AND DEVICE FOR PREPARING
CONTROL PARAMETER OR
CONTROL PROGRAM, POLISHING
SYSTEM, RECORDING MEDIUM,
AND METHOD OF MANUFACTURING
SEMICONDUCTOR DEVICE

Confirmation No.: 1365

Group Art Unit: 3723

Examiner: Jacob K. Ackun

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, **Mail Stop Amendment**
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment responding to the Office Action dated November 10, 2005.
2. Additional papers enclosed:

- ☐ Drawings: ☐ Formal ☐ Informal (Correction)
- ☐ Information Disclosure Statement
- ☐ Form PTO-1449, _____ references included
- ☐ Citations
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

| <u>Total Months Requested</u> | <u>Fee for Extension</u> | <u>[Fee for Small Entity]</u> |
|---------------------------------------|--------------------------|-------------------------------|
| <input type="checkbox"/> one month | \$ 120.00 | \$ 60.00 |
| <input type="checkbox"/> two months | \$ 450.00 | \$ 225.00 |
| <input type="checkbox"/> three months | \$ 1,020.00 | \$ 510.00 |
| <input type="checkbox"/> four months | \$ 1,590.00 | \$ 795.00 |

Extension of time fee due with this request: \$

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

| CLAIMS AS AMENDED | | | | | | |
|---|---|-------|--------------------------------|------------------|---------------|------------|
| | Claims Remaining After Amendment | | Highest No. Previously Paid | Present Extra | at Rate of | Total Fees |
| Total Claims (37 C.F.R. §1.16(c)) | 48 | minus | 43 | 5 | x \$50 each= | + \$250.00 |
| Independent Claims (37 C.F.R. §1.16(b)) | 8 | minus | 7 | 1 | x \$200 each= | + \$200.00 |
| [] First presentation of Multiple dependent claim(s) | | | | | \$360.00 | + \$ |
| SUB-TOTAL = | | | | | | \$450.00 |
| Reduction by ½ for filing by a small entity | | | | | | - \$ |
| TOTAL FEE = | | | | | | \$450.00 |

6. Fee Payment

- ☐ No fee is to be paid at this time.
- ☒ The Commissioner is hereby authorized to charge **\$450.00** to Deposit Account 50-0310 for the extra claims fee.


☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: December 22, 2005

By:



Kent Basson

Registration No. 48,125

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12/28/2005 MBEYENE1 00000002 500310 10774623
01 FC:1202 250.00 DA
02 FC:1201 200.00 DA

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Adjustment date: 12/28/2005 MBEYENE1
12/27/2005 MBEYENE1 00000059 500310 10774663
01 FC:1202 250.00 CR
02 FC:1201 200.00 CR

Sir:

AMENDMENT UNDER 37 C.F.R. § 1.111

In response to the Office Action dated November 10, 2005, the period for response to which extends through February 10, 2006, please amend the above-identified application as follows:

~~12/27/2005 MBEYENE1 00000059 500310 10774663~~
~~01 FC:1202 250.00 DA~~
~~02 FC:1201 200.00 DA~~